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Attorney for Debtors

UNITED STATES BANKRUPTCY COURT
DISTRICT OF NEVADA

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IN RE:

Case No.: BK-13-50194-BTB
(Chapter 12)

PATRICK MCCAULEY,
dba GC LIVESTOCK, LLC.
PATRICIA MCCAULEY,

**MOTION TO EXTEND TIME FOR FILING
CH. 12 PLAN PURSUANT TO 11 U.S.C. §1221**

HEARING DATE: May 21, 2013
HEARING TIME: 2:00 P.M.
TIME REQUIRED: 5 Minutes

Debtor.

COMES NOW Debtors, by and through their attorney, Nathan R. Zeltzer, and applies to this Court for an Order allowing extension of time for filing Debtor's Chapter 12 Plan pursuant to 11 U.S.C. §1221, and for reasons more fully set forth below.

POINTS AND AUTHORITIES

The instant case was filed on January 31, 2013. The case was filed to stop a foreclosure sale that was going to take place on Debtors' farm and residence in Alturas County, California. The initial Meeting of Creditors was held on March 1, 2013, and was concluded.

Counsel in this case has simultaneously filed a Motion to Allow Withdrawal of Counsel that will be heard on the same date and time as this instant Motion. According to the Debtor's there is significant equity in the subject property. The Debtors' have notified me that they have suffered several emergencies in their current business in the last 30 days.

The controlling authority on filing a Chapter 12 Plan is 11 U.S.C. §1221, it states:
"The debtor shall file a plan not later than 90 days after the order for relief under this chapter, except that the court may extend such period if the need for an extension is attributable to circumstances for which

1 the debtor should not justly be held accountable.”

2 Debtor’s have not specified to undersigned counsel what the circumstances are for the lack of filing a
3 Plan. Without this information it is impossible to determine if the Debtors’ have cause for extension of
4 time to file a Chapter 12 Plan.

5 As stated earlier, I have filed a Motion to withdraw as Counsel in this case. Since the
6 Debtors’ have not provided sufficient information regarding the cause for the lack of filing a Plan the
7 Debtors’ should be given additional time so the Court can determine if they meet the standard to have
8 time extended on filing a Chapter 12 Plan. Under these circumstances the Court should allow the
9 Debtors’ a chance to provide evidence to determine if cause exists for an extension to file the required
10 Plan.

11 WHEREFORE, it is requested that this Court grant the Debtor an extension of time to file a
12 Chapter 12 Plan that is a requirement under FRCP 3015(b), and for such other relief that the Court
13 determines is just and equitable.

14 Respectfully Submitted this 15 day of April, 2013.

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16 /s/Nathan R. Zeltzer
17 Nathan R. Zeltzer, Esq.
18 Attorney for the Debtors
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